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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA

v.

ALVIN FLORIDA, JR., et al.,  
Defendants.

No. CR 4:14-00582 PJH

UNITED STATES' STATUS REPORT

Date: June 17, 2015  
Time: 2:30 p.m.  
Court: Hon. Phyllis J. Hamilton  
Place: Courtroom 3, 3rd Floor

The United States submits this status report to inform the Court of its progress regarding discovery production in advance of the June 17, 2015, status conference.

The government completed its Fed. R. Crim. P. 16 discovery production on May 27, 2015. The bulk of discovery was produced to the defendants between December 2014 and March 2015. The government also made three voluntary supplemental disclosures to the defendants on March 31, 2015, to aid the defendants' discovery review.

Status of Discovery

The government began producing discovery to the defendants in December 2014 and substantially completed its discovery in March 2015. This discovery was accompanied by indices and logs to aid the defendants' review of the materials. The discovery was also produced

1 in formats allowing it to be easily searched and coded. In addition, the government made  
2 significant additional voluntary disclosures in order to narrow and focus the defendants on  
3 evidence the government intends to draw from at trial. Specifically, the government made the  
4 following discovery productions and accompanying voluntary disclosures:

- 5 • In December 2014, the government produced to the defendants the covert audio-  
6 video recordings made as part of this investigation. This disclosure included  
7 indices listing the date and county of each recording. The recordings were  
8 produced in a format that could be played in Windows Media or other commercial  
9 audio and video-viewing software. Because the recordings are voluminous and  
10 many may not be relevant to these defendants, the government, on March 31,  
11 2015, and updated by letter on April 7, 2015, voluntarily produced a list of fewer  
12 than 200 audio-video recordings (each between 30 and 60 minutes), segments of  
13 which the government may draw from in its case-in-chief. This list includes the  
14 date and county where the recording occurred and the name of any defendant  
15 identified in the recording.
- 16 • In January 2015, the government produced all of the materials seized pursuant to  
17 search warrants in this case. This discovery included the voluntary supplemental  
18 disclosure of indices listing the individuals from whom the materials were seized  
19 and the beginning and ending Bates numbers for that discovery. It was produced  
20 in a TIFF/Text format, with load files, allowing it to be loaded and reviewed in all  
21 major document-management software programs.
- 22 • In March 2015, the government produced the subpoenaed and voluntarily  
23 produced materials collected in this investigation, along with the FBI 302s,  
24 interview write-ups, and FBI surveillance reports. The interview reports were  
25 produced in PDF format, allowing them to be key-word searched. The  
26 government also produced an index listing the name and date of each interview.  
27 The production of subpoenaed information included an index of each production  
28 by custodian and Bates range. This discovery was also produced in a TIFF/TEXT

1 format, with load files, allowing it to be loaded and reviewed in all major  
2 document-management software programs.

- 3 • In order to further aid the defendants in their review of the evidence and their  
4 preparation for trial, on March 31, 2015, at the defendants' request, the  
5 government voluntarily disclosed a list of properties it believes were subject to  
6 the fraud scheme and bid-rigging conspiracy in Alameda County. The  
7 government also voluntarily disclosed a list of documents that it intends to draw  
8 from in its case-in-chief (comprised of approximately one percent of the  
9 documents produced).
- 10 • Between March and May 2015, the government made several small supplemental  
11 productions as it completed its review of its case files, and also produced all  
12 newly generated interview write-ups and newly obtained documents. The  
13 government produced these documents pursuant to the rolling discovery deadline  
14 ordered by Judge Ryu.
- 15 • On an ongoing basis, and as recently as June 3, 2015, the government has met via  
16 telephone conference with defense counsel and their paralegal to answer any  
17 technical questions about the electronic production and to assist in their efforts to  
18 load the discovery production onto their web-hosted database.

19 The government has completed its discovery obligations under Fed. R. Crim. P. 16. It  
20 will continue to adhere to any discovery obligations that may arise under the Jencks Act, *Brady*  
21 *v. Maryland*, and *Giglio v. United States*.

22  
23 DATED: June 10, 2015

Respectfully submitted,

24 /s/ GABRIEL R. MARTINEZ  
25 GABRIEL R. MARTINEZ, Trial Attorney  
26 E. KATE PATCHEN, Assistant Chief  
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